

for GMLinden



NJD 002 186 696

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September 30, 2014

Mr. Gary Greulich
New Jersey Department of Environmental Protection
Northern Regional Office
7 Ridgedale Avenue
Cedar Knolls, NJ 07927

RE: Remedial Action Progress Report No. 13 for the Industrial #2 Redevelopment Area
Portion of the Former General Motors (GM) Linden Assembly Plant, 1016 West Edgar
Road, Linden, Union County, New Jersey 07036; DUK059.701.0171.

Dear Mr. Greulich:

On June 3, 2011, the New Jersey Department of Environmental Protection (NJDEP) approved the New Jersey Remedial Action Workplan and RCRA Corrective Measures Proposal Addendum No. 4 (RAWP) for the Industrial #2 Redevelopment Area of the Former GM Linden Assembly Plant (Site; SRP PI# 621084; Case Tracking Number: E20040531-Industrial). The June 3, 2011 approval letter requested a Remedial Action Progress Report for the Industrial #2 Redevelopment Area on/by September 30, 2011. Subsequent reports will be submitted on a quarterly basis.

As discussed during extensive correspondence with NJDEP, the industrial portion of the Former GM Plant, which includes the Industrial #1 and Industrial #2 Redevelopment Areas, was sold in late-2013 by Linden Development LLC to Duke Linden LLC (Duke Linden). Duke Realty Corporation is a primary member of both the former owner (Linden Development LLC) and new owner (Duke Linden) and will provide for consistent implementation of the previously-approved remedial strategy outlined in RAWP Addendum No. 4. The project team that has represented Linden Development LLC to date will continue to implement the project on behalf of Duke Linden. As part of the property transaction, NJDEP assigned the following updated identification numbers for the industrial portion of the Former GM Plant which includes the Industrial #2 Redevelopment Area:

- Program Interest Number: 621084
- Case Tracking Number: E20040531-Industrial

This letter constitutes Remedial Action Progress Report No. 13 for the Industrial #2 Redevelopment Area. Hull & Associates, Inc. (Hull) has prepared this report on behalf of Duke Linden to summarize remedial activities completed on the Site between July 1, 2014 and September 30, 2014.

Requirements, according to N.J.A.C. 7:26E-6.6, are shown below in ***bold italics***, with Hull/Duke Linden's update following. The report certification required by N.J.A.C. 7:26E-1.5 is included in Attachment A.

1. ***NJDEP requires a description of each planned remedial action***
 - i. ***scheduled to be initiated or completed within the reporting period;***
 - ii. ***actually initiated or completed during the reporting period; and***

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iii. *scheduled but not initiated or not completed during the reporting period, including the reasons for the noncompliance with the approved schedule.*

Soil

As outlined in the approved RAWP, the remedial activities for soils on the Industrial #2 Redevelopment Area consist of the following:

- a. Excavation of approximately 1,715 yd³ of soil containing chemicals of potential concern (COPCs) at concentrations above applicable standards from AOI-7;
- b. Establishing deed restrictions or environmental covenants to maintain commercial/industrial land use at the Site;
- c. Regrading the site to achieve the grade necessary to support the proposed redevelopment;
- d. Constructing building slabs, parking areas and roadways and placing one foot of clean soil over geotextile fabric in future greenspaces to preclude direct contact exposures to future receptor populations and/or provide cover to historical fill material; and
- e. Surveying to demonstrate that all areas are covered with engineering controls (e.g., building slabs, parking areas and roadways) or one foot of clean soil.

With the exception of the targeted soil excavation activities within AOI-7, the remedial activities are directly related to construction activities associated with the future redevelopment at the Site which is dependent upon finalization of agreements with end users. Duke Linden has been working throughout the reporting period to establish agreements with end users to ultimately occupy various portions of the Site. Given that end user agreements have not been established, the construction activities described in the RAWP have not yet been initiated.

The excavation activities within AOI-7 were completed in March and April 2012. A summary of the excavation activities, confirmatory sampling results, soil disposal and other details were provided in Quarterly Report No. 4, dated June 30, 2012. As discussed in that report, the confirmatory sampling results indicate that the AOI-7 excavation activities successfully removed the petroleum-impacted soils and achieved the cleanup goals specified in the approved RAWP.

Groundwater

The RAWP for the Industrial #2 Redevelopment Area was limited to soils. Groundwater actions, if any, are related to resolution of the disputed groundwater issue between the Site and neighboring Merck Pharmaceutical facility. NJDEP reviewed Linden Development's (now Duke Linden's) latest investigation report prepared by Hull related to the disputed groundwater issue (i.e., MW-97 Monitoring Well Cluster Installation and Supplemental Groundwater Sampling Report, July 2012). NJDEP issued a technical comment letter dated November 30, 2012 outlining the findings from the agency review of the July 2012 report. NJDEP's letter indicates that no sources have been identified on the Duke Linden property

that created the groundwater contamination in the dispute. The letter requests that Linden Development (now Duke Linden) perform an additional year of groundwater monitoring in the southern portion of the site. A work plan for the groundwater sampling was submitted to NJDEP in late-March 2013. A revised work plan for groundwater sampling was submitted in March 2014 to address NJDEP comments on the original version. Duke Linden is currently conducting the quarterly groundwater monitoring pursuant to the March 2014 sampling plan.

Storm Sewer (AOI-18)

Remedial activities associated with AOI-18 are complete, as documented to NJDEP in previous reporting efforts associated with the neighboring Retail and Industrial #1 Redevelopment Areas. Specifically, the storm sewer activities were documented in *Remedial Action Progress Report No. 1 for the Retail Redevelopment Area Portion of the Former General Motors Linden Assembly Plant*, dated November 23, 2009 and in *Remedial Action Progress Report No. 1 for the Industrial No. 1 Redevelopment Area Portion of the Former General Motors Linden Assembly Plant*, also dated November 23, 2009.

2. NJDEP requires discussion of problems and delays in the implementation of the RAWP, which should include proposals for corrections.

As discussed above, a majority of the remedial activities are directly-related to construction activities associated with the future redevelopment at the Site which is dependent upon establishment of agreements with end users. Given current economic conditions, the construction activities described in the RAWP, with the exception of the AOI-7 excavation activities, will not be implemented until redevelopment deals with end users are established. Duke Linden is continuing to pursue agreements with end users for the Industrial #2 Redevelopment Area. In the interim, conditions at the Site are stable given that GM's original cover types (asphalt, building pads, etc.) remain intact. The targeted excavation activities within AOI-7 were completed in early-April 2012.

3. NJDEP requires proposals for a deviation from, or modification to, the approved RAWP.

No deviations from, or modifications to, the approved RAWP are planned or required at this time.

4. NJDEP requires submittal of a revised schedule pursuant to N.J.A.C. 7:26E-6.5, to reflect the changes as noted in 1 through 3 above.

As noted above, establishment of agreements with end users is the driving force behind the redevelopment of the Site and full implementation of the RAWP. Duke Linden continues to pursue agreements with end users and will provide updates in subsequent quarterly reports. The next progress report is scheduled to be submitted on or before September 30, 2014. The targeted excavation activities within AOI-7 were completed in early-April 2012.

5. NJDEP requires an updated status of all permit applications relative to the critical path schedule.

The permits required for initiation of the remedial activities are summarized below.

| Permit/Approval Type | Status | Notes |
|----------------------------|-------------------|---|
| Planning Board Approval | Approved 11/17/08 | Site plan approved by City of Linden Planning Board |
| NPDES Permit (Storm Water) | Approved 9/16/09 | NPDES Permit No. 0088323 |
| Soil Conservation District | Approved 9/16/09 | Approved by Somerset-Union Conservation District |

6. NJDEP requires a listing of each remedial action to be performed during the next reporting period.

No remedial activities are scheduled during the next reporting period. As noted above, establishment of agreements with end users is the driving force behind the redevelopment of the Site and implementation of the remaining portions of the RAWP. Duke Linden continues to pursue agreements with end users and will provide updates in subsequent quarterly reports. The next progress report is scheduled to be submitted on or before December 31, 2014.

7. NJDEP requires costs of each remedial action

- i. Annual summary of all remedial action costs incurred to date; and**
- ii. Revised cost estimate for remedial actions remaining to be performed.**

Given that significant construction and remedial implementation has not yet commenced, no significant remedial costs have been accrued, with the exception of costs for the storm sewer cleaning (i.e., approximately \$7,000) and the previously completed AOI-7 excavation project. The costs for the AOI-7 activities totaled approximately \$240,000 at project completion, which is below the amount used in the current remediation cost estimate.

The overall cost estimate for completing remedial activities remains consistent with that presented in the RAWP (i.e., approximately \$11,900,000 for earthwork and construction of engineering controls).

8. NJDEP requires a tabulation of sampling results [according to N.J.A.C. 7:26E-3.13(c)(3)] received during the reporting period and a summary of the data and any conclusions, presented in a format consistent with N.J.A.C. 7:26E-4.8.

No sampling results were received during the reporting period.

9. NJDEP requires a summary of active groundwater remedial actions

- i. groundwater elevation maps with groundwater flow shown immediately before and during active groundwater remediation;**
- ii. graphs depicting changes in concentrations over time for all impacted wells as well as all down-gradient wells;**
- iii. summary of volume of water treated since last reporting period and the total volume treated since active remedial action commenced; and**
- iv. Summary of groundwater contamination, indicating either that contamination remains above applicable standards (include a proposal detailing additional remedial actions) or that concentrations are below applicable standards.**

The RAWP for the Industrial #2 Redevelopment Area was limited to soils only. Therefore, this section is not applicable.

10. NJDEP requires a summary of natural remediation groundwater remedial actions

- i. Summary table of the groundwater monitoring results collected; and**
- ii. Conclusions whether data indicate that natural remediation is no longer appropriate (must then also submit a revised RAWP)**

The RAWP for the Industrial #2 Redevelopment Area was limited to soils only. Therefore, this section is not applicable.

11. NJDEP requires a description of all wastes generated as a result of the remedial action

- i. Tabulation of waste characterization samples collected, including the physical state of the material, volume, number of samples, analyses performed and results;**
- ii. Listing of types and quantities of waste generated by the remedial action during the reporting period as well as to date;**
- iii. Name of the disposal facility used;**
- iv. Transporters' dates of disposal; and**
- v. Manifest numbers of each waste shipment.**

No wastes were generated during the reporting period.

12. NJDEP requires that any additional support documentation that is available also be provided (photos, etc.).

Given that the majority of the remedial activities have not yet been implemented, no additional support documentation is available.

The next scheduled remedial action progress report will include remedial actions completed between October 1, 2014 and December 31, 2014. Please feel free to contact Bill Dennis at (412) 446-0315 with any questions regarding the update provided herein.

Sincerely,



Bill Dennis
Senior Project Manager

Attachments

cc: Clifford Ng – U.S. EPA Region 2
Joseph Sorge – JM Sorge, Inc.
Brian Strohl – Duke Linden, LLC

ATTACHMENT A
Report Certification

Certification

**Duke Linden, LLC
ISRA Case Number E20040531-Industrial**

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

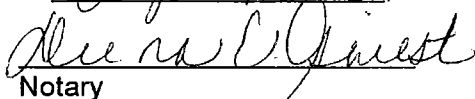
Date: 9/22/14

Duke Linden, LLC
By:



William J. DeBoer, Executive V.P.

Sworn to and subscribed to before
me on this 22nd day
of September, 2014


Notary



Deena E. Griest
Notary Public-State of Ohio
My Commission Expires
May 29, 2017